

FILED IN OPEN COURT
DATE: 11/6/18
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IN THE
UNITED STATES DISTRICT COURT
FOR THE
WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

UNITED STATES OF AMERICA)

v.)

Criminal No.: 4:18-cr-00011

MATTHEW CAESAR FERGUSON)
a/k/a "MC")

STATEMENT OF FACTS

The parties stipulate that the allegations contained in Count 1 of the First Superseding Indictment and the following facts are true and correct, and that had this matter gone to trial, the United States would have proven each of these facts beyond a reasonable doubt.

At all times relevant to the First Superseding Indictment, MATTHEW CAESAR FERGUSON, a/k/a "MC," (hereinafter "FERGUSON") was a member of the criminal organization, the Rollin 60s Crips ("Rollin 60s"), which is a street gang. Since at least sometime in or about 2015, the Rollin 60s have been active in the Western District of Virginia and have engaged in criminal activity, including but not limited to murder and attempted murder, assault resulting in bodily injury, assault with a dangerous weapon, robbery, obstruction of justice, drug distribution and trafficking, and conspiracy to commit those crimes.

The Rollin 60s, including its leadership, membership, and associates, constitutes an "enterprise" as defined by Title 18, United States Code, Section 1961(4), that is, a group of individuals associated-in-fact. The enterprise constitutes an ongoing organization whose members function as a continuing unit for a common purpose of achieving the objectives of the enterprise. This enterprise has engaged in, and its activities have affected, interstate and foreign commerce.

The purposes of the enterprise, of which FERGUSON was a member, include promoting and enhancing the enterprise, and enriching its members and associates through, among other things, acts of violence, including murder, trafficking in firearms, and trafficking in controlled substances, and the enforcement of discipline among the members; to providing assistance to members of the enterprise who committed crimes for and on behalf of the enterprise; and to thwarting efforts of law enforcement to apprehend enterprise members.

Defendant's Initials: MF

At all relevant times, FERGUSON was a member of the Rollin 60s. FERGUSON was involved in murders and attempted murders committed by the enterprise, as well as drug trafficking committed by the enterprise.

From some date in 2015, in the Western District of Virginia and elsewhere, FERGUSON, while associated with the Rollin 60s, did knowingly and intentionally conspire and agree with other members or associates of the Rollin 60s to conduct and participate in, directly and indirectly, the affairs of the Rollin 60s through a pattern of racketeering activity, as that term is defined by Title 18, United States Code, Sections 1961(1) and 1961(5), including but not limited to murder and attempted murder, gun trafficking, robberies, obstruction of justice, and conspiracy to distribute controlled substances.

In furtherance of the conspiracy and to achieve its objectives, FERGUSON performed and caused to be performed certain racketeering acts in the Western District of Virginia and elsewhere. The racketeering acts performed by FERGUSON included, but are not limited to:

A. Murder of Christopher Motley and Attempted Murder of Justion Wilson
(August 20, 2016)

In the summer of 2016, members of the Rollin 60s and Milla Bloods street gang "tied the flag" in order to facilitate their criminal activities in the Danville, Virginia area at the expense of a rival Bloods gang called the Billys, which is a set of the 9-Trey Bloods. At some point FERGUSON conspired with members of his own gang and members of the Milla Bloods to kill Wallace on August 20, 2016, and in the days around that date.

On August 20, 2016, multiple meetings occurred between members of the Rollin 60s and the Milla Bloods. At least one of these meetings occurred at the apartment of Ashley Ross, who is an associate or member of the Rollin 60s. Ross's apartment is located in the Southwyck Apartment complex, which is in Danville, Virginia and which is located in the Western District of Virginia. In general, the plan was to lure Wallace (and his second-in-command) to Southwyck Apartments, where various gang members were fanned out around the complex and an adjoining parking lot, armed and prepared to shoot Wallace to death.

At approximately 10:20 p.m., on August 20, 2016, a van drove into the apartment complex, which caused multiple gang members to begin shooting from different directions, including FERGUSON. Two of these individuals were standing in the window of Ross's apartment, which faces the parking lot. Other gang members were located in various locations in front of and adjacent to the apartment buildings and parking lot, and some gang members were located near a trash dumpster in the parking lot in front of Ross's apartment. One of the occupants of the van, Christopher Motley, was killed in the gunfire. The driver of the van, Justion Wilson, was not injured.

After the murder, the shooters fled into apartments in the apartment complex and from the Southwyck Apartments to various locations in and around Danville, Virginia. FERGUSON
Defendant's Initials: MF

helped shooters flee from the scene by driving them in a black Chevrolet Impala. Various other individuals assisted the shooters in fleeing the murder scene as well as in disposing of the weapons.

B. Conspiracy to Distribute Controlled Substances

During and in furtherance of the conspiracy, FERGUSON conspired with others to distribute, and did in fact distribute, marijuana on behalf of the racketeering enterprise.

Each of the acts set forth in paragraphs A and B above furthered the goals and objectives of the enterprise by enriching FERGUSON and its members, and enhancing the status of FERGUSON and others within the organization.

The actions taken by FERGUSON as described above were taken willfully, knowingly, and with the specific intent to violate the law. FERGUSON did not take those actions by accident, mistake, or with the belief that they did not violate the law. FERGUSON acknowledges that the purpose of the foregoing statement of facts is to provide an independent factual basis for his guilty plea. It does not necessarily identify all of the persons with whom the defendant might have engaged in illegal activity.

Respectfully submitted,

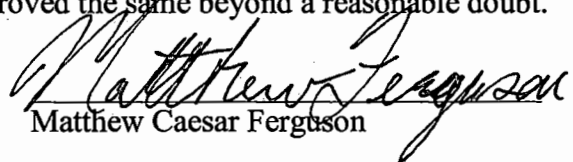


Heather L. Carlton

Ronald M. Huber

Assistant United States Attorneys

After consulting with my attorney and pursuant to the plea agreement entered into this day, I stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.



Matthew Caesar Ferguson

I am Matthew Caesar Ferguson's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.



Frederick T. Heblich, Jr.

Interim Federal Public Defender

Counsel for Defendant

Defendant's Initials:

